

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

ORIGINAL

A & N ENERGY SYSTEMS, INC.)

Petition for a determination that an electric generating)
facility fueled by landfill methane and located at the)
McLean County Landfill will be a qualified solid)
waste energy facility as defined in Section 8-403.1 of)
The Public Utilities Act.)

Docket No. 03-068

CHIEF CLERK'S OFFICE

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ILLINOIS
COMMERCE COMMISSION

MOTION

NOW COMES Petitioner, A & N ENERGY SYSTEMS, INC. ("A & N"), an Illinois corporation, by its Attorneys, Troy A. Fodor and E.M. Fulton Jr., and respectfully requests that this Honorable Commission enter an order affording proprietary and confidential treatment to the plans and drawings of the Altorfer Power Systems, A & N's Financial Plan and portions of the Security Agreement filed with this Commission by the Petitioner pursuant to 83 Ill. Admin. Code 200.605 and in support thereof states as follows:

1. A & N has requested the Commission for a determination that an electric generating facility that will be fueled by landfill methane at the McLean County Landfill in Bloomington, Illinois will be a qualified waste energy facility as defined in Section 8-403.1 of Public Utilities Act.

2. A & N filed its petition on November 6, 2003 and in support of the petition filed the testimony of Shirine Kazemi on January 20, 2004.

3. The A & N Motion filed on November 6, 2003 is withdrawn.

4. The prepared testimony of Shirine Kazemi sponsors an Exhibit 3 that consists of five pages. The fifth page contains the plans and drawings of the Altorfer Power Systems which

contains proprietary and confidential information of Altofer, Inc. It contains trade secrets and power system plans which are the exclusive property of Altofer, Inc.

5. Exhibit 4 consists of nine pages which A & N considers proprietary, confidential, and contains competitively sensitive financial information.

6. Exhibit 6 contains 41 pages, portions of which are proprietary and confidential. The first Eleven pages ("Security Agreement") and commencing on page thirty the last eleven pages ("Contribution Formula" and Investment Criteria") of Exhibit 6 contain competitively sensitive financial information which is proprietary and confidential.

7. Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140/7 (1996) exempts from public disclosure "trade secrets and commercial or financial information...where such trade secrets or information are proprietary, privileged, or confidential." The Altofer Power Systems plans and drawings, the A & N financial plan and portions of the Security Agreement filed by the Petitioner fall within this exemption.

WHEREFORE, A & N Energy Systems, Inc. respectfully requests that this Honorable Commission enter an order affording proprietary and confidential treatment for five years to the Altofer Power Systems plans and drawings, the A & N financial plan and portions of the Security Agreement and such other relief as this Commission deems just, reasonable and necessary.

Respectfully Submitted,

A & N Energy Systems, Inc.


By: E. M. Fulton Jr.
E.M. Fulton Jr.
One of its Attorneys

STATE OF ILLINOIS)

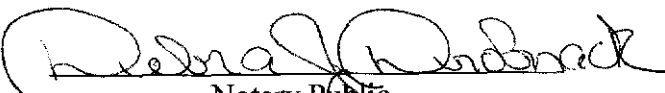
COUNTY OF SANGAMON)

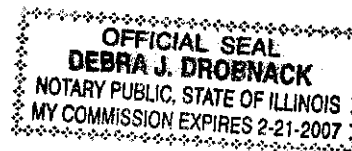
The undersigned, E.M. Fulton, Jr. being first duly sworn on oath, deposes and states that he has read the foregoing MOTION and that the contents thereof are true and correct to the best of his information and belief.

A & N Energy Systems, Inc.


E.M. Fulton Jr.
One of their Attorneys

Sworn to and subscribed to before me
This 20th day of January, 2004


Notary Public



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E.M. Fulton Jr.
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